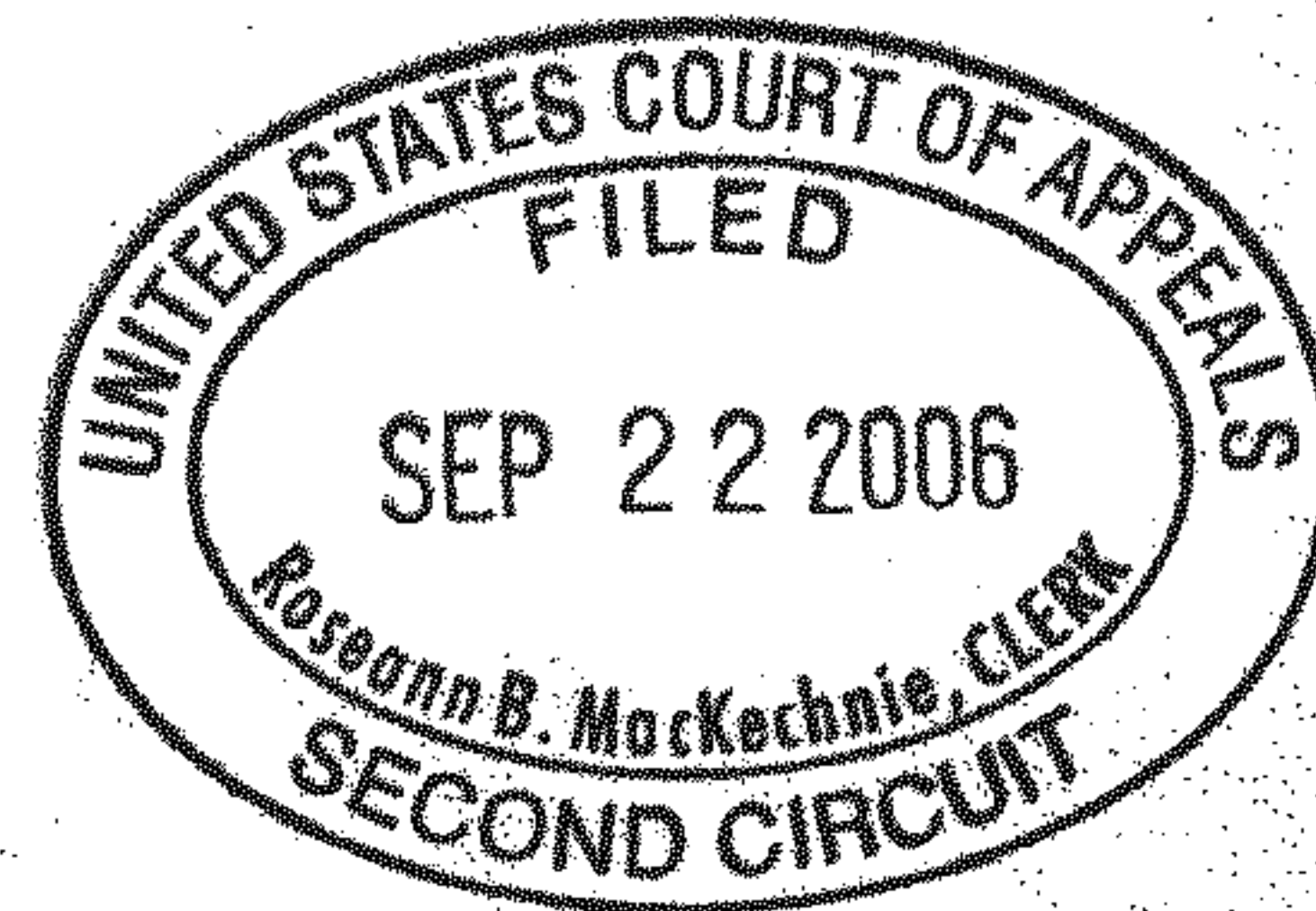


MANDATE

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse at 500 Pearl Street in the City of New York, on the 22nd day of September two thousand and six,

PRESENT: Honorable Joseph M. McLaughlin,
Honorable José A. Cabranes,
Circuit Judges;
Honorable John Gleeson*,
District Judge.



American Civil Liberties Union, Center for Constitutional Rights, Physicians for Human Rights, Veterans for Common Sense, Veterans for Peace,
Plaintiff-Appellants,

v.

Central Intelligence Agency, Department of Defense, and its Components Department of Army, Department of Navy, Department of Air Force, Defense Intelligence Agency, Department of Army,
Defendant-Appellees,

Docket No. : 06-0205-cv

Department of Homeland Security, Department of Justice, and its Components Civil Rights Division, Criminal Division, Office of Information and Privacy, Office of Intelligence, Policy and Review, Federal Bureau of Investigation, Department of State,
Defendants,

The American Legion,
Amicus Curiae.

By agreement of the parties, it is hereby ordered that:

- (1) the record of the appeal shall be amended to include the text of the September 6, 2006 remarks of President George W. Bush (Declaration of Peter M. Skinner, September 18, 2006, Exhibit A);

*The Honorable John Gleeson of the United States District Court for the Eastern District of New York, sitting by designation.

ISSUED AS MANDATE

9/25/06

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- (2) the judgment of the District Court is **VACATED**, and the case is **REMANDED** to the District Court for such further proceedings as may be appropriate in the circumstances.

In the interests of judicial economy and expeditious resolution of the parties' claims, the Clerk of this Court shall refer any appeal from the District Court's further orders or judgments in this case to this panel. *See United States v. Jacobson*, 15 F.3d 19, 21-22 (1994).

FOR THE COURT:

Roseann B. MacKechnie

ROSEANN B. MacKECHNIE
CLERK OF COURT

Roseann B. MacKechnie, CLERK
by DEPUTY CLERK

A TRUE COPY